United Nations A/INF/60/5

General Assembly

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Sixtieth session

# United Nations Administrative Tribunal

## Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly, for their information, the attached note from the United Nations Administrative Tribunal to the President of the General Assembly.

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# Annex

## Annual note by the United Nations Administrative Tribunal

1. At its third plenary session, held in Paris on 20 December 1951, the Administrative Tribunal decided to submit a note each year to the President of the General Assembly. In accordance with that decision, the following note is submitted in respect of the year 2005.

### A. Appointment of members of the Tribunal by the General Assembly

2. There were no elections for membership of the Tribunal in 2005.

### B. Composition of the Tribunal during 2005

3. In 2005, the Tribunal was composed of the following members:

Mr. Julio Barboza, President
Mr. Kevin Haugh, First Vice-President
Mr. Spyridon Flogaitis, Second Vice-President
Ms. Brigitte Stern
Ms. Jacqueline R. Scott
Mr. Dayendra Sena Wijewardane
Mr. Goh Joon Seng

### C. Fifty-sixth plenary session

4. The Tribunal met in annual plenary session in New York on 22 November 2005, pursuant to article 5, paragraph 1, of its rules. All members were present.

### D. Judgements delivered during 2005

5. In 2005, the Tribunal held two sessions, one in Geneva from 20 June to 22 July and one in New York from 24 October to 23 November. The composition of the panels and the corresponding judgements rendered were as follows:

**Case No. 1032: Abboud et al.**

(Abboud et al. against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Request by UNRWA staff members for revision of Judgements Nos. 934 and 1053)
**Judgement No. 1223**

Geneva, 21 June to 22 July 2005

Mr. Barboza, President
Mr. Haugh
Ms. Stern

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**Case No. 1141: Helke**

(Helke against the Secretary-General of the United Nations)
(Request by former UNOG staff member for revision of Judgement No. 1047)
**Judgement No. 1224**

Geneva, 30 June to 22 July 2005

Mr. Haugh, presiding
Mr. Flogaitis
Ms. Stern

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**Case No. 1168: Sirois**

(Sirois against the Secretary-General of the United Nations)
(Request by former ICTR staff member for interpretation and revision of Judgement No. 1135)
**Judgement No. 1225**

Geneva, 24 June to 22 July 2005

Mr. Barboza, President
Mr. Flogaitis
Ms. Stern

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**Case No. 1177: Alok**

(Alok against the Secretary-General of the United Nations)
(Request by former UNFPA staff member for interpretation and revision of Judgement No. 1123)
**Judgement No. 1226**

Geneva, 21 June to 22 July 2005

Mr. Barboza, President
Ms. Scott
Mr. Goh

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**Case No. 1196: Yearwood**

(Yearwood against the Secretary-General of the United Nations)
(Request by former ICTY staff member for revision of Judgement No. 1082)
**Judgement No. 1227**

Geneva, 24 June to 22 July 2005

Mr. Haugh, presiding
Mr. Wijewardane
Mr. Goh

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**Case No. 1201: Gomes**

(Gomes against the Secretary-General of the United Nations)
(Request by former United Nations staff member for revision of Judgement No. 1134)
**Judgement No. 1228**

Geneva, 28 June to 22 July 2005

Mr. Barboza, President
Ms. Scott
Mr. Goh

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**Case No. 1239: Banerjee**

(Banerjee against the Secretary-General of the United Nations)
(Request by former UNDP staff member for interpretation and revision of Judgement No. 1128)
**Judgement No. 1229**

Geneva, 22 June to 22 July 2005

Mr. Barboza, President
Mr. Haugh
Ms. Scott

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**Case No. 1299: Humaidan**

(Humaidan against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of the decision not to promote her to the P-5 level)
**Judgement No. 1230**

Geneva, 24 June to 22 July 2005

Mr. Flogaitis, presiding
Ms. Scott
Mr. Wijewardane

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**Case No. 1304: Brooks-Campbell**

(Brooks-Campbell against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of the decision to transfer her from the Security and Safety Service to the General Service)

**Judgement No. 1231**

Geneva, 21 June to 22 July 2005

Mr. Flogaitis, presiding
Ms. Scott
Mr. Goh

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**Case No. 1313: Balogun**

(Balogun against the Secretary-General of the United Nations)
(Claim by former ECA staff member for rescission of the decision not to extend his 200 Series fixed-term contract)
**Judgement No. 1232**

Geneva, 24 June to 22 July 2005

Mr. Barboza, President
Ms. Scott
Mr. Goh

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**Case No. 1315: Albala-Betrand**

(Albala-Betrand against the United Nations Joint Staff Pension Board)
(Claim by UNJSPF participant for rescission of the decision to convoke a medical board before considering his request for disability benefits)
**Judgement No. 1233**

Geneva, 20 June to 22 July 2005

Mr. Barboza, President
Ms. Stern
Mr. Goh

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**Case No. 1316: Pansiot**

(Pansiot against the Secretary-General of the United Nations)
(Claim by former OHCHR staff member for rescission of the decisions not to extend his appointment of limited duration; and to revoke another offer of appointment)
**Judgement No. 1234**

Geneva, 23 June to 22 July 2005

Mr. Barboza, President
Mr. Haugh
Mr. Wijewardane

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**Case No. 1319: Aguirre**

(Aguirre against the Secretary-General of the United Nations)
(Claim by former OHCHR staff member for disciplinary action to be taken against other staff members)
**Judgement No. 1235**

Geneva, 22 June to 22 July 2005

Mr. Barboza, President
Mr. Haugh
Ms. Scott

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**Case No. 1320: Arce**

(Arce against the Secretary-General of the International Maritime Organization)
(Claim by former IMO staff member for rescission of the decision not to permit him to withdraw his request for early retirement)
**Judgement No. 1236**

Geneva, 27 June to 22 July 2005

Mr. Barboza, President
Mr. Flogaitis
Ms. Scott

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**Case No. 1321: Hussain**

(Hussain against the Secretary-General of the United Nations)
(Claims by former UNHCR staff member for greater compensation than was paid for violation of his rights in connection with the preparation of his performance evaluation report; and for compensation for not renewing his fixed-term contract)
**Judgement No. 1237**

Geneva, 22 June to 22 July 2005

Mr. Barboza, President
Mr. Haugh
Mr. Wijewardane

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**Case No. 1322: Albert**

(Albert against the Secretary-General of the United Nations)
(Claim by former UNDCP staff member for rescission of the decisions not to renew his fixed-term contract; and not to consider him for a career appointment)
**Judgement No. 1238**

Geneva, 30 June to 22 July 2005

Mr. Haugh, presiding
Mr. Flogaitis
Ms. Scott

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**Case No. 1323: Ibrahim**

(Ibrahim against the Secretary-General of the United Nations)
(Claims by UNDP staff member for rescission of the decision to terminate her permanent appointment; and for failing to conclude her case pending before the UNDP Joint Review Board)
**Judgement No. 1239**

Geneva, 22 June to 22 July 2005

Mr. Flogaitis, presiding
Ms. Stern
Mr. Goh

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**Case No. 1325: Ittah**

(Ittah against the United Nations Joint Staff Pension Board)
(Claim by UNJSPF participant for rescission of the decision to remit 50 per cent of his pension to his ex-wife, in partial satisfaction of delinquent alimony and child support payments)
**Judgement No. 1253**

Geneva, 22 June to 22 July 2005

Mr. Flogaitis, presiding
Ms. Stern
Mr. Goh

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**Case No. 1326: Kudjawu**

(Kudjawu against the Secretary-General of the United Nations)
(Claim by former MONUC staff member that his rights of due process had been violated in disciplinary proceedings)
**Judgement No. 1240**

Geneva, 23 June to 22 July 2005

Mr. Flogaitis, presiding
Ms. Stern
Mr. Wijewardane

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**Case No. 1327: Glebov**

(Glebov against the United Nations Joint Staff Pension Board)
(Claim by former UNJSPF participant for payment of compensation equivalent to his 1973 lump-sum withdrawal settlement)
**Judgement No. 1241**

Geneva, 1 to 22 July 2005

Mr. Flogaitis, presiding
Ms. Stern
Mr. Wijewardane

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**Case No. 1328: Abalu**

(Abalu against the Secretary-General of the United Nations)
(Claim by former ECA staff member for rescission of the decision not to renew his fixed-term contract)
**Judgement No. 1254**

Geneva, 29 June to 23 July 2004

Mr. Barboza, President
Mr. Flogaitis
Ms. Stern

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**Case No. 1329: Mwantuke**
**Case No. 1330: Mkini**

(Mwantuke & Mkini against the Secretary-General of the United Nations)
(Claims by former WFP staff members for rescission of the decisions to summarily dismiss them for serious misconduct)
**Judgement No. 1242**

Geneva, 28 June to 22 July 2005

Mr. Haugh, presiding
Ms. Stern
Mr. Wijewardane

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**Case No. 1331: Baldwin**

(Baldwin against the United Nations Joint Staff Pension Board)
(Claims by UNJSPF participant for rescission of the decision of the Standing Committee of the UNJSPB that his appeal was time-barred; and to apply the pre-1983 rules to the calculation of his pension)
**Judgement No. 1243**

Geneva, 1 to 22 July 2005

Mr. Haugh, presiding
Ms. Stern
Mr. Goh

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**Case No. 1334: Casin**

(Casin against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of the decision to permanently demote him by one grade, notwithstanding a more lenient recommendation from the Joint Disciplinary Committee)
**Judgement No. 1244**

Geneva, 1 to 22 July 2005

Mr. Barboza, President
Ms. Scott
Mr. Wijewardane

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**Case No. 1337: Alves**

(Alves against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the decision not to promote her to the post of Senior Systems Analyst at the P-5 level)
**Judgement No. 1245**

Geneva, 23 June to 22 July 2005

Mr. Flogaitis, presiding
Ms. Scott
Mr. Goh

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**Case No. 1338: Sokoloff**

(Sokoloff against the Secretary-General of the United Nations)
(Claim by former UNFPA staff member for rescission of the decision to separate him from service, without notice or compensation in lieu thereof)
**Judgement No. 1246**

Geneva, 29 June to 22 July 2005

Mr. Flogaitis, presiding
Ms. Scott
Mr. Wijewardane

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**Case No. 1339: Kapoor**

(Kapoor against the Secretary-General of the United Nations)
(Claim by former UNFPA staff member for rescission of the decision not to renew his fixed-term contract)
**Judgement No. 1247**

Geneva, 20 June to 22 July 2005

Mr. Flogaitis, presiding
Ms. Stern
Mr. Wijewardane

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**Case No. 1340: Bobbit**

(Bobbit against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the decisions denying her special post allowance for the period of time she was performing the duties of a D-1 post; and the opportunity for promotion to the D-1 level)
**Judgement No. 1248**

Geneva, 27 June to 22 July 2005

Mr. Haugh, presiding
Ms. Stern
Mr. Goh

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**Case No. 1341: Konkwo**

(Konkwo against the Secretary-General of the United Nations)
(Claim by former UNMIK staff member for rescission of the decision not to accept his retroactive resignation)
**Judgement No. 1249**

Geneva, 22 June to 22 July 2005

Mr. Barboza, President
Ms. Scott
Mr. Goh

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**Case No. 1342: Christonikos**

(Christonikos against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of the decision maintaining the classification of his post at the G-5 level)
**Judgement No. 1250**

Geneva, 27 June to 22 July 2005

Mr. Haugh, presiding
Mr. Wijewardane
Mr. Goh

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**Case No. 1343: Potapov**

(Potapov against the Secretary-General of the United Nations)
(Claim by UNOG staff member for rescission of the decision to reject his request for reimbursement of motor vehicle tax imposed by the Swiss cantonal authorities)
**Judgement No. 1251**

Geneva, 28 June to 22 July 2005

Mr. Flogaitis, presiding
Ms. Scott
Mr. Goh

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**Case No. 1344: Campos**

(Campos against the Secretary-General of the United Nations)
(Claims by UNOG staff member for rescission of the decision not to promote him to the P-5 level; and for compensation for discrimination and for violation of his rights)
**Judgement No. 1252**

Geneva, 29 June to 22 July 2005

Mr. Haugh, presiding
Mr. Wijewardane
Mr. Goh

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**Case No. 1184: Goddard**

(Goddard against the Secretary-General of the United Nations)
(Request by staff member of the United Nations for interpretation and revision of Judgement No. 1132)
**Judgement No. 1255**

New York, 28 October to 23 November 2005

Mr. Barboza, President
Mr. Flogaitis
Ms. Stern

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**Case No. 1232: Olenja**
**Case No. 1279: Olenja**

(Olenja against the Secretary-General of the United Nations)
(Request by former UNFPA staff member for revision of Judgement No. 1167)
**Judgement No. 1256**

New York, 26 October to 23 November 2005

Mr. Haugh, presiding
Ms. Scott
Mr. Wijewardane

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**Case No. 1306: Abu Ranneh**

(Abu Ranneh against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by former UNRWA staff member for rescission of the decision refusing to reconvene a Medical Board in his case in order to convert his separation under early voluntary retirement to separation on medical grounds)
**Judgement No. 1257**

New York, 28 October to 23 November 2005

Mr. Barboza, President
Ms. Scott
Mr. Goh

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**Case No. 1309: El-Shenhaby**

(El-Shenhaby against the Secretary-General of the United Nations)
(Claims by former UNICEF staff member for rescission of the decision not to promote her to the G-7 level; and for compensation for discrimination and for violation of her rights)
**Judgement No. 1258**

New York, 28 October to 23 November 2005

Mr. Haugh, presiding
Mr. Wijewardane
Mr. Goh

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**Case No. 1332: Makhtoub**

(Makhtoub against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by former UNRWA staff member for rescission of the decision to terminate his services in the interest of the Agency)
**Judgement No. 1259**

New York, 28 October to 23 November 2005

Mr. Haugh, presiding
Ms. Stern
Mr. Goh

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**Case No. 1333: Singhal**

(Singhal against the Secretary-General of the United Nations)
(Claim by former UNDCP staff member for rescission of the decision to summarily dismiss him for serious misconduct)
**Judgement No. 1260**

New York, 2 to 23 November 2005

Mr. Flogaitis, presiding
Ms. Scott
Mr. Wijewardane

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**Case No. 1336: Zinna**

(Zinna against the Secretary-General of the United Nations)
(Claims by former Joint Inspection Unit staff member for rescission of the decision to impose upon him a written censure for misconduct; and for compensation for violation of his rights)
**Judgement No. 1261**

New York, 31 October to 23 November 2005

Mr. Barboza, President
Mr. Flogaitis
Ms. Stern

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**Case No. 1345: Mensah-Dapaah**

(Mensah-Dapaah against the Secretary-General of the United Nations)
(Claim by former UNIFIL staff member for rescission of the decision to summarily dismiss him for serious misconduct)
**Judgement No. 1262**

New York, 1 to 23 November 2005

Mr. Fitzgerald, presiding
Ms. Stern
Ms. Scott

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**Case No. 1346: David**

(David against the Secretary-General of the United Nations)
(Claim by former ECLAC staff member for rescission of the decision to summarily dismiss her for misusing United Nations resources to assist her husband in the preparation of his PhD thesis)
**Judgement No. 1263**

New York, 7 to 23 November 2005

Mr. Barboza, President
Ms. Scott
Mr. Goh

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**Case No. 1347: Brennig**

(Brennig against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by former UNRWA staff member for rescission of the decision not to extend his fixed-term contract)
**Judgement No. 1264**

New York, 7 to 23 November 2005

Mr. Barboza, President
Mr. Haugh
Mr. Goh

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**Case No. 1348: Kimball**

(Kimball against the Secretary-General of the United Nations)
(Claims by United Nations staff member for redress for the violation of her rights; and for compensation for the discriminatory and vindictive treatment to which she had been subjected)
**Judgement No. 1265**

New York, 31 October to 23 November 2005

Mr. Haugh, presiding
Ms. Stern
Mr. Wijewardane

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**Case No. 1349: Asensch**

(Asensch against the Secretary-General of the United Nations)
(Claim by former UNDOF staff member for rescission of the decision to summarily dismiss him for serious misconduct)
**Judgement No. 1266**

New York, 1 to 23 November 2005

Mr. Flogaitis, presiding
Ms. Stern
Ms. Scott

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**Case No. 1350: Malhotra**

(Malhotra against the Secretary-General of the United Nations)
(Claim by former UNDCP staff member for rescission of the decision to separate her from service with notice)
**Judgement No. 1267**

New York, 2 to 23 November 2005

Mr. Flogaitis, presiding
Ms. Scott
Mr. Wijewardane

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**Case No. 1351: Strongman**

(Strongman against the Secretary-General of the United Nations)
(Claims by former ICTY staff member for rescission of the decision to terminate his fixed-term appointment; and to expunge from his personnel record all documents related to that action)
**Judgement No. 1268**

New York, 27 October to 23 November 2005

Mr. Haugh, presiding
Mr. Flogaitis
Mr. Wijewardane

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**Case No. 1352: El Kurdi**

(El Kurdi against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Request by former UNRWA staff member to recalculate her termination benefits in connection with the decision to terminate her service in the interest of the Agency)
**Judgement No. 1269**

New York, 2 to 23 November 2005

Mr. Haugh, presiding
Ms. Stern
Mr. Goh

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**Case No. 1353: Rangel**

(Rangel against the Secretary-General of the United Nations)
(Claims by former ECLAC staff member for rescission of the decision not to extend her fixed-term contract; and for greater compensation than recommended by the Joint Appeals Board for violation of her rights)
**Judgement No. 1270**

New York, 1 to 23 November 2005

Mr. Barboza, President
Ms. Stern
Mr. Goh

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**Case No. 1354: Loriot**

(Loriot against the Secretary-General of the United Nations)
(Claims by former UNDP staff member for investigations to be conducted into specific matters as well as the UNDP internal justice system in general; and for compensation for harassment and other violations of his rights)
**Judgement No. 1271**

New York, 2 to 23 November 2005

Mr. Barboza, President
Mr. Flogaitis
Ms. Stern

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**Case No. 1355: Khafagy**

(Khafagy against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member for compensation for harassment and violation of her rights)
**Judgement No. 1272**

New York, 28 October to 23 November 2005

Mr. Haugh, presiding
Mr. Wijewardane
Mr. Goh

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**Case No. 1356: Aidenbaum**

(Aidenbaum against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for compensation for the Administration's failure to act promptly and adequately in dealing with her medical emergency)
**Judgement No. 1273**

New York, 1 to 23 November 2005

Mr. Barboza, President
Mr. Flogaitis
Mr. Wijewardane

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**Case No. 1357: Simmonds**

(Simmonds against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the decision to separate her from service with compensation in lieu of notice)
**Judgement No. 1274**

New York, 7 to 23 November 2005

Mr. Barboza, President
Ms. Scott
Mr. Goh

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**Case No. 1358: Al Souki**

(Al Souki against the Secretary-General of the United Nations)
(Claims by former UNDP staff member for rescission of the decision not to renew his fixed-term appointment; and for compensation for violation of his rights)
**Judgement No. 1275**

New York, 27 October to 23 November 2005

Mr. Haugh, presiding
Ms. Scott
Mr. Wijewardane

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**Case No. 1359: Gagnon et al.**

(Gagnon et al. against the Secretary-General of the United Nations)
(Claims by United Nations staff members for rescission of the decisions denying that they had been recruited after successfully passing a competitive examination; and refusing to give them full and fair consideration for permanent appointments)
**Judgement No. 1276**

New York, 31 October to 23 November 2005

Mr. Barboza, President
Mr. Flogaitis
Ms. Stern

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**Case No. 1360: Hernandez**

(Hernandez against the Secretary-General of the United Nations)
(Claims by former UNEP staff member for rescission of the decisions not to grant him a four-year fixed-term appointment and not to extend his fixed-term contract; and for compensation for harassment and violation of his rights)
**Judgement No. 1277**

New York, 3 to 23 November 2005

Mr. Haugh, presiding
Mr. Wijewardane
Mr. Goh

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**Case No. 1361: Mukhles**

(Mukhles against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by UNRWA staff member for rescission of the decision to demote her)
**Judgement No. 1278**

New York, 3 to 23 November 2005

Mr. Barboza, President
Ms. Stern
Ms. Scott

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**Case No. 1362: Macha**

(Macha against the Secretary-General of the United Nations)
(Claims by ECA staff member for rescission of the decision to calculate her salary in local currency rather than in US dollars; and for compensation for damages)
**Judgement No. 1279**

New York, 3 to 23 November 2005

Mr. Flogaitis, presiding
Ms. Scott
Mr. Wijewardane

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**Case No. 1363: Saha**

(Saha against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member for rescission of the decision not to re-negotiate his separation package)
**Judgement No. 1280**

New York, 27 October to 23 November 2005

Mr. Haugh, presiding
Mr. Wijewardane
Mr. Goh

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**Case No. 1364: Rodriguez**

(Rodriguez against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of the decision to reabsorb her at the P-3 level despite the fact that she had been promoted to the P-4 level while on secondment to UNIDO)
**Judgement No. 1281**

New York, 26 October to 23 November 2005

Mr. Haugh, presiding
Ms. Scott
Mr. Goh

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